

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,)	
)	Case No. 17-cr-00134-(WMW-DTS)
)	
Plaintiff,)	MOTION TO DISMISS
)	INDICTMENT BASED UPON AN
v.)	UNCONSTITUTIONAL STATUTE
)	
John Kelsey Gammell,)	
)	
Defendant.)	

Pursuant to the Fifth and Fourteenth Amendments to the United States Constitution and Fed. R. Crim. P. 12, Defendant John Kelsey Gammell moves to dismiss the indictment based upon an unconstitutional statute. Mr. Gammell contends that the statute he was charged under exceeds Congress's Commerce Clause authority as applied to him and is impermissibly vague in violation of his rights under the Fifth and Fourteenth Amendments to the United States Constitution.

In further support of this motion, Mr. Gammell has submitted a memorandum of law.

Dated: August 18, 2017

By s/Rachel K. Paulose

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